



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG - 5 2013

Mr. Phil Youngberg
Environmental Manager
c/o Mr. John Dugan
U.S. General Services Administration
10 Causeway Street – Room 925
Boston, MA 02222

Dear Mr. Youngberg:

In accordance with our responsibilities under the National Environmental Policy Act, (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Sale of Plum Island, New York. EPA's comments are presented below.¹

As you may know, since the Draft Environmental Impact Statement (DEIS) was completed, the Town of Southold has proposed an ordinance that would create a conservation area that would limit development and preserve much of the island. This specific proposal is not evaluated in the FEIS. The purpose of this ordinance is to create and establish zoning districts on Plum Island and to expand permitted uses in the Marine II District to accommodate necessary access to the Island. The Plum Island Research District would encourage the use of the island for research and educational opportunities, provide quality employment opportunities, and preserve Plum Island's regionally significant natural, historic and scenic resources. The purpose of the Plum Island Conservation District would be to preserve the integrity of the regionally significant natural, historic and scenic resources of Plum Island.

EPA strongly believes that conservation options have the best potential to respect the rich ecological resources of Plum Island. The island provides important habitat for a number of species and we hope that it will be protected and preserved. Moreover, any development that may occur should incorporate the potential impacts of climate change on future inhabitants and operations.

The FEIS was prepared by the General Service Administration (GSA) and the Department of Homeland Security (DHS) to describe the impacts associated with the planned government sale of the Plum Island Animal Disease Center (PIADC) on the 850-acre island in Long Island Sound, New York. The PIADC is currently operated by the DHS in cooperation with the U.S. Department of Agriculture (USDA). The sale of Plum Island is specifically mandated by The Consolidated Security, Disaster Assistance, and

¹ The comments contained in this letter were created in coordination with EPA's Region 1 office and EPA's Long Island Field Office given the shared interest in the future of Plum Island.

Continuing Appropriations Act of 2009. The DHS plans to move current operations on Plum Island to a new facility in Manhattan, Kansas; this action was addressed in a prior EIS.

After the sale, GSA has estimated that approximately 195 acres of the island may be suitable for development. Although GSA does not have specific authority over the future use of the property, its identification of existing resources and the potential impact of possible uses is important as future land uses have the potential to affect the island's environment in a number of ways.

EPA's June 2010 scoping comments on the project highlighted the 2006 joint designation by EPA, the Connecticut Department of Environmental Protection and the New York State Department of Environmental Conservation of Plum Island as one of thirty-three inaugural Long Island Sound Stewardship Areas. In the case of Plum Island, this designation was based on exemplary colonial waterbird habitat, including habitat for several federally threatened and endangered species. In addition, our scoping comments recommended that the EIS:

- study options to permanently conserve and preserve undeveloped portions of Plum Island while also analyzing opportunities for balanced and appropriate public uses after the sale including preservation of public access rights from Orient Point;
- include a comprehensive evaluation of the ecological importance of Plum Island and an analysis of opportunities for balanced and appropriate public uses;
- evaluate potential contamination threats to public health and the environment; and
- include permanent protection of the entire undeveloped portion of the property as a development alternative, with existing developed areas sold for appropriate future development.

On October 25, 2012, EPA submitted comments on the Draft Environmental Impact Statement (DEIS). In that letter, EPA recommended that the FEIS:

- include a mitigation plan that details measures that can be taken by the developers to reduce and/or offset the potential air quality impacts associated with the range of development options discussed in Reuse Option 2;
- include detailed mitigation options that could reduce the impacts of development on surface water for the range of development options;
- include detailed information on the nature of the impacts of stormwater runoff to the local environment that can be expected from the range of development options as well as the appropriate mitigation measures that could lessen the impact from development to the Long Island Sound;
- include information on the status of Endangered Species Act and Marine Mammal Protection Act consultations with the Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration (NOAA);
- include a detailed explanation of the clean-up process as it relates to the research facility and potential biological contamination including a discussion of the components of the clean-up, what each component will achieve, and how the process will ensure the safety of future potential inhabitants of the island;

- include a discussion of when the risk of spread of disease to large wild mammals such as white-tailed deer will no longer be an issue of concern and what clean-up measures will be utilized to eliminate any remaining pathogens;
- include a discussion of the long-term potential health implications for future residents in the event of a development scenario as it relates to access to the CERCLA landfill (i.e., WMA 26) site for recreation or as it relates to living in close proximity to the site, as well as an estimated timeline for the remaining clean-up actions.

EPA also commented that the “DEIS discussion of the environmental impacts associated with future redevelopment of the island under the various redevelopment scenarios underestimates the potential environmental impact of the sale by failing to provide sufficient detail necessary to illustrate the full range of potential impacts from both low-and high-density development.” To this point, EPA feels that addressing the development scenario through a development option that examines a range of residential density scenarios, as done in the FEIS, is a more illustrative and informative approach to demonstrating the potential impacts from development.

On the whole, however, EPA feels that GSA did not offer mitigation options as EPA recommended in our comment letter on the DEIS. Additionally, the FEIS is not significantly enhanced from the DEIS and does not provide a sufficiently detailed evaluation of the potential impacts of the sale of Plum Island. It is our hope that all parties involved with the sale of the island including state and local government, local residents, and potential purchasers will consider the issues that EPA has raised in regards to the sale and future use of Plum Island and take all the necessary steps to protect the natural resources on and surrounding Plum Island.

EPA offers the following resources that address a number of the deficiencies in the FEIS and would like to see this information included as an attachment to the Record of Decision and documents transferring eventual ownership of the island.

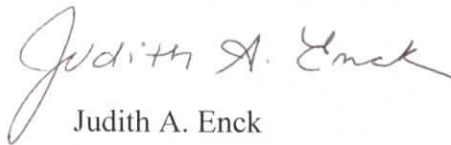
- EPA’s Clean Construction program offers resources for developers that address a variety of air quality issues associated with construction and development from exposure reduction to diesel exhaust to green building standards. Information on EPA’s Clean Construction program can be found here: <http://www.epa.gov/cleanschoolbus/construct-overview.htm>
- Water pollution prevention and control measures are critical to improving water quality and reducing the need for costly wastewater and drinking water treatment. Because water pollution can come from many different sources, a variety of pollution prevention and control measures are needed. Additional information on pollution control is available here: <http://water.epa.gov/polwaste/>
- Low impact development (LID) is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a

resource rather than a waste product. Low impact development design and guidance manuals are available here: <http://water.epa.gov/polwaste/green/#guide>

EPA continues to believe that the adaptive reuse and conservation options have the best potential to respect the rich ecological resources of Plum Island. The island provides important habitat for a number of species and we hope that it will be protected and preserved. Moreover, any development that may occur should be mindful of the potential impacts of climate change on future inhabitants and operations.

Thank you for the opportunity to comment on the FEIS for the Sale of Plum Island. Our comments on the FEIS contained in this letter are intended to help inform local, state and federal decision-making and review related to land use and impacts. In addition to the online resources shared above, EPA has staff with technical expertise in areas including sustainable development, green construction, green communities, low impact development, and stormwater management to name a few. Should you have any questions regarding the comments and concerns detailed in this letter, or for further technical assistance in one of EPA's program areas, please feel free to contact Stephanie Lamster at 212-637-3465.

Sincerely,

A handwritten signature in black ink, reading "Judith A. Enck". The signature is fluid and cursive, with the first name "Judith" being more prominent and the last name "Enck" following in a similar style.

Judith A. Enck
Regional Administrator